

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

JS-6

**CIVIL MINUTES – GENERAL**

Case No. SACV 15-2084-DOC (KESx)

Date: December 30, 2015

Title: KEVIN E. MONSON V. WILLIAM MARTIN TEZAK

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PRESENT:

THE HONORABLE DAVID O. CARTER, JUDGE

Deborah Goltz  
Courtroom Clerk

Not Present  
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFF:  
None Present

ATTORNEYS PRESENT FOR DEFENDANT:  
None Present

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**PROCEEDINGS (IN CHAMBERS): ORDER REMANDING ACTION TO  
SUPERIOR COURT [8]**

Before the Court is Plaintiff Kevin E. Monson's ("Plaintiff" or "Monson") Ex Parte Application to Remand Case to Orange County Superior Court ("Application") (Dkt. 8). After considering the Application and the record, the Court determines the case was improperly removed and the Court lacks subject matter jurisdiction over the case. Accordingly, the case is REMANDED to Orange County Superior Court.

**I. Background**

On June 23, 2015, Plaintiff brought an unlawful detainer action against Defendant William Martin Tezak ("Defendant" or "Tezak"). App. at 3. Defendant removed the unlawful detainer action to this Court on November 23, 2015. *Id.* On December 2, 2015, this Court remanded the action to Orange County Superior Court. *See Monson v. Tezak*, Case No. SA CV 15-1960-DOC (KESx), 2015 WL 7776874 (C.D. Cal Dec. 2, 2015).

On December 16, 2015, Defendant again removed this case to federal court. Notice of Removal (Dkt. 1). The matter was transferred to this Court on December 29, 2015. *See Order to Reassign Case* (Dkt. 10).

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**II. Disposition**

For the same reasons stated in its original remand order, the Court GRANTS the Application and REMANDS this action to the Superior Court of California, County of Orange, Central Justice Center, No. 30-2015-00794931-CL-UD-CJC.

The Court warns Plaintiff that further abuse of the judicial process may result in sanctions.

The Clerk shall serve this minute order on the parties.

MINUTES FORM 11  
CIVIL-GEN

Initials of Deputy Clerk: djg